

**April 24, 2008 Minutes of
Bigfork Land Use Advisory Committee
DRAFT**

Committee members present: Phil Hanson, Darrel Coverdell, John Bourquin, Shelley Gonzales, Chuck Gough, Gary Ridderhoff, Paul Guerrant and 4 members of the public.

Chairman Bourquin called the meeting to order at 4: 00 pm. The Agenda was adopted as emailed (m/scCoverdell/Hanson)

The minutes for March 27, 2008 were approved as corrected (m/sc Gough/ Gonzales).

ADMINISTRATOR'S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website. Needs to be noted at each meeting.

B. Application status: The Planning Board recommended approval of the Mildren application by a 5-4 vote. It has not been scheduled with the Commission at this date.

C. BLUAC Elections: Elections will be held on May 6, 2008, at the Bigfork Fire Hall.

D. Letter re: Maggadino: Secretary read letter to Andrew Hagemeyer, dated March 31, 2008, regarding the incorrect notice sent to property owners for the Maggadino application. Email reply from Hagemeyer: "It was a clerical mistake. It was not meant to be on the agenda. That file was legally noticed for a previous BLUAC meeting. The meeting was held and the item was heard. At the BOA meeting the applicant asked to hold the file until the next BOA meeting. The file was legal noticed for the BOA meeting again, and it was accidentally put on the public notice it was going to BLUAC. Obviously that was not intended as it was not on your agenda. All legal obligations of notice and all meetings were held in accordance with Flathead County regulations. On our agenda, we always make a statement that items can be changed without notice. It is unfortunate that those folks drove up from Missoula, and I apologize for that." BLUAC members directed the Secretary to contact Jeff Harris and insist an apology be sent to all the property owners. Feeling was that BLUAC took the heat for this and an apology is the right thing for the county to do.

E. Legal Action: Secretary reported the County Attorney is filed two motions in the case and those must be answered by May 1st.

APPLICATIONS:

A. None

OLD BUSINESS:

A. Sign violation status: Chairman Bourquin noted that he had discussed this with Jonathan Smith at the February 2008 training session. Smith indicated that they haven't gotten to it yet. Suggestion was made to bring the subject up at the BSC Public Forum when it could be brought to the attention of Joe Brenneman. Craig Wagner stated

he would ask the BSC Secretary to notify Brenneman of the meeting and bring him up to date before the Public Forum on May 8, 2008, Noon, Bethany Lutheran Church.

B. Village Diagonal Parking: Chairman asked BSC Chairman Wagner of the status of the one-way road and diagonal parking in Bigfork Village. Wagner noted he had discussed the prospect with Paul Mutascio (CFBB). The concern is allowing enough space for emergency vehicles. Mutascio is checking on those regulations.

C. Compression Brake Signage: Gary Ridderhoff reported that all the signs requested have been installed as of April 21, 2008. Coverdell noted that there is not a sign eastbound on Hwy 82 prior to the intersection of MT Hwy 35. Craig Wagner will contact MDOT to see if another sign can be installed and also to thank them for the signs currently installed.

NEW BUSINESS:

A. Bylaws: Review of current Bylaws included the following corrections and clarifications:

Page 1: MEMBERSHIP, paragraph two, change “calendar” to fiscal June 1 through May 31. Paragraph three, Add sentence at end “The elected term for replacement will expire on original 3-year term date of member replaced.”

Gonzales moved the 4 additions and corrections to the BLUAC Bylaws be amended. Guerrant seconded the motion.

Discussion: Ridderhoff noted punctuation corrections:

Page 1: First sentence in Membership.

Page 3: Punctuation corrections.

Page 4: Punctuation corrections.

Gonzales moved to amend the motion that the punctuation corrections be made as noted. Gough seconded the motion. The motion passed unanimously. The original motion also passed unanimously.

B. Policies & Procedures: Discussion included a review of current policies and procedures and included the following suggested changes:

Page 1: Order of Business/Application Submittal by FCPZ/ add “Comments from Public Agencies” after applicant report; add “BLUAC may ask questions at any time.” after Public Agencies; move “further written (strike or oral) questions (add from the public) on any new information not covered in prior comments.

Under Committee Action: add “Summarize public comment and explain how such comment factors in the decision.” After Discussion among Committee members; under “Request motion, second, any further discussion, (add “Chair states the motion”), vote. Change “No further ~~public or staff~~ input unless initiated by Committee member.

Guerrant moved to amend the Policies & Procedures with the above noted changes. Ridderhoff second. Motion passed unanimously.

PUBLIC COMMENT:

Craig Wagner: Reported the Board of Adjustment agenda for May 6, 2008 will consider a Conditional Use Permit for Senior Housing in Evergreen. Wagner also

mentioned that Jack Paulson attended the BofA meeting and complained about getting the wrong notice from the Planning Office.

Gonzales: What is the status of the question about set back violations for the Crestview Senior Housing?

Gough: It was determined that the issue was with CCR's and not county regulation.

Bourquin: Do BSC and BLUAC want to get together before the June 25 Planning Board Workshop on the BNP? Do we want to look at a response to the Supreme Court decision?

General discussion: Meet with team leaders at the BSC meeting on May 1st.

Gonzales will notify team leaders.

Hanson: Does the committee want to sit down with Jeff Harris or the Planning Board regarding issues of Planning Staff and Planning Board attitudes?

General discussion: Invite Jeff Harris to sit down and discuss this with BLUAC and follow with lunch. Secretary was directed to contact Harris, attach email comments by committee members for his information, and set up a meeting at Eagle Bend for the following dates: Monday, April 28, Friday, May 2, Monday, May 5.

PUBLIC COMMENT CLOSED

Meeting was adjourned at 5:45 p.m.

Sue Hanson

BLUAC Secretary

